

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID ANTHONY BREAUX,

Petitioner,

v.

RONALD BROOMFIELD, WARDEN OF
SAN QUENTIN STATE PRISON,

Respondent.

Case No. 2:93-cv-0570 DJC DB

ORDER

Petitioner, a state prisoner under sentence of death, is proceeding with a petition for a writ of habeas corpus under 28 U.S.C. §2254. The parties met and conferred regarding the status of this case and discovery. Respondent requests permission for expert witness Dr. Gugelmann to file a Federal Rules of Court, Rule 26 report by February 1, 2024, and for the parties to take his testimony by videotaped deposition at a later date. Petitioner's counsel does not oppose these requests. The parties further request permission to file a joint statement by February 1, 2024 to set further dates.

Upon considering the parties' joint request, and good cause appearing, IT IS HEREBY ORDERED that:

1. On or before February 1, 2024, Dr. Gugelmann shall file a Rule 26 report;

2. On or before February 1, 2024, the parties shall file a joint statement regarding the status of the case and a proposed schedule; and

3. Dr. Gugleemann's evidentiary hearing testimony may be taken by videotaped deposition.

Dated: December 4, 2023


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

DLB:9
DB prisoner inbox/capital/breaux.exp disc sch